

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: “:ERIC-CHARLES: DAVIS©,
CANCELLATURA OF
FOREIGN INSTRUMENTS”

Case No. 08-CV-12924

ORDER OF DISMISSAL

On July 10, 2008, the court ordered *pro se* filer Eric Charles Davis (who styles himself “:Eric-Charles: Davis©”) to show cause why his case should not be dismissed. Specifically, the court directed to state in writing why the case should not be dismissed (1) as frivolous, Fed. R. Civ. P. 12(b)(1); (2) for failure to state a claim, Fed. R. Civ. P. 12(b)(6); (3) for failure to set forth an appropriate basis for federal jurisdiction, U.S. Const., Art III, § 1; and (4) for failure to meet the requirements of Fed. R. Civ. P. 8. (7/10/08 Order at 7.)

Davis met the court’s deadline and hand-delivered a July 28, 2008 document that the clerk docketed as “Document titled ‘Refuse for Cause’” (“Response”). The three-page Response consists of a title page stating that Davis “on 28-July-2008 A.D., HAND DELIVERED to the Clerk of the Court, Refuse for Cause, document for filing.” The second page is nearly blank and merely contains Davis’s signature and contact information. The third page is a copy of the court’s July 8, 2008 Order, which transferred the case from the miscellaneous docket to the civil docket. Davis scrawled the following text in red ink diagonally across the July 8, 2008 Order:

REFUSE FOR CAUSE
WITHOUT DISHONOR TO ME
By: Eric-Charles: Davis©
28-July-2008 A.D.

My cancellatura of Foreign Instruments document is strictly for public filing,
THEREFORE, no CONTROVERSY, No HEARING, No Civil Case is Required by
Me.

(Response at 3 (capitalization in original).)

The Response is non-responsive to the court's order to show cause.¹ It is symptomatic of the "quasi-legalistic nonsense," (7/10/08 Order at 3), that was already before the court. Qualitatively, no response would have been equivalent. For these reasons, and for the reasons stated in the court's July 10, 2008 Order, the court will dismiss the case. The case is frivolous and it fails to meet the requirements of Federal Rules of Civil Procedure 8 and 12 and Article III of the United States Constitution. Accordingly,

IT IS ORDERED that this case is DISMISSED WITH PREJUDICE.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 30, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 30, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

¹To the extent that Davis challenges transferring his case from the miscellaneous docket to the civil docket, the court finds no merit in his contention.